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5 DISTRICT COURT OF GUAM  
6 TERRITORY OF GUAM  
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8 Guam Contractors Association, *et al.*, ) CIVIL CASE NO. 16-00075  
9 Plaintiffs-Petitioners, )  
10 vs. ) O R D E R  
11 Jeff Sessions, Attorney General of the )  
12 United States, *et. al.*, )  
13 Defendants-Respondents. )  
14 \_\_\_\_\_ )

15 Before the court is a motion by Plaintiffs to hold summary judgment in the instant  
16 matter (16-CV-00075) in abeyance, pending the Court's ruling on the Plaintiffs' Motion for an  
17 Order to Hold Defendants in Contempt of Court for Failing to Comply with the Court's  
18 January 24, 2018 Injunction (hereinafter, "Plaintiffs' Motion for Contempt") and the Plaintiffs'  
19 Motion to Compel Additional Discovery Pursuant to 5 U.S.C. § 706, Fed. R. Civ. P.  
20 26-37, and CVLR 26, 33, 36 (hereinafter, "Plaintiffs' Motion to Compel Additional  
21 Discovery").

22 In response to the said motion, Defendants assert that the motion "is an unnecessary and  
23 inefficient use of this Court's resources. A more efficient use of judicial resources would have  
24 been a joint status report followed by a telephonic status conference to discuss how the parties  
25 intend to proceed."

26 Plaintiffs argue that pursuant to Fed. R. Civ. P. 56, there exists a presumptive  
27 deadline for summary judgment thirty (30) days following the close of all discovery. Plaintiffs  
28 further argue that to the extent "Defendants are correct that the record is complete, then the

clock is now ticking on Motions for Summary Judgment.”

In its February 7, 2017 Amended Scheduling and Planning Order, the court set a deadline of May 1, 2017 for the filing of dispositive motions. A summary judgment motion is a dispositive motion.

In a status conference hearing on July 14, 2017, the court granted a motion for the extension of time to file dispositive motions with the court to set the deadline upon resolution of the pending discovery motion. To date, the court has set no deadline for the filing of dispositive motions.

With respect to Plaintiffs' motion, the court finds that there are still pending matters before it which make it inappropriate to require a deadline for the filing of a summary judgment motion.

The court also finds the Defendants' recommendation for a status hearing or joint status report followed by a status conference to discuss how the parties intend to proceed to be appropriate.

Because the court has yet to set a deadline for the filing of dispositive motions, Plaintiffs' motion to hold in abeyance a summary judgment motion filing is also appropriate.

Plaintiffs' motion to hold in abeyance the filing of a summary judgment motion pending disposition of current matters before the court is granted.



**/s/ Joaquin V.E. Manibusan, Jr.  
U.S. Magistrate Judge  
Dated: Jul 19, 2019**